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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/530,070

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Dietmar Muller

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7590

06/11/2008

THE MAXHAM FIRM

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SAN DIEGO, CA 92121

EXAMINER

YOUNG, JANELLE N

ART UNIT

PAPER NUMBER

2618

MAIL DATE

DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/530,070	<b>Applicant(s)</b> MULLER ET AL.	
	<b>Examiner</b> Janelle N. Young	<b>Art Unit</b> 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 31 December 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 9-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 9-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                         |                                                                             |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____                                                |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____                                                             | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on December 31, 2007 has been entered.

### ***Response to Amendment***

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 9-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilson et al. (US Patent 2004/0203903) and further in view of Lipsanen et al. (US Pub. 2002/0059614).

As for claim 9, Wilson et al. teaches a SIM card for operation with a terminal device of a mobile telecommunication network (Abstract and Page 15, Para 0163-0165), comprising: wherein the destination and source addresses permissible in connection with the SIM card are stored in a memory of the SIM card or in a database of the mobile communication network (Abstract; Page 4, Para 0062; Page 12, Para 0129; and Page 15, Para 0163-0165 with respect to Page 4, Para 0058; Pages 4-5, Para 0065; and Page 10, Para 0115).

Lipsanen et al. discloses a system for distributing digital content on demand in a common carrier environment wherein a mobile device includes a SIM Card loaded with VPN certificates which can be used for authentication and billing which reads on claimed wherein the terminal device card is configured to only establish in such a manner that with the terminal device only connections to fixed destination or source addresses, or both, can be established (Page 4, Para 0040-0042 and Page 6, Para 0065 of Lipsanen et al.).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have the storing of VPN information on a SIM card as taught by Lipsanen et al. in the method of Lipsanen et al., in order to ensure proper authorization for communication services (Page 5, Para 0066; Pages 6-7, Para 0083; and Page 16, Para 0172 of Lipsanen et al.).

As for claims 10 & 28-32, Wilson et al. teaches a SIM card for operation with a terminal device of a mobile telecommunication network, wherein said SIM card is

designed as a Telematic SIM card and wherein the SIM card supports other services that are typically not understood to be Telematic services (Page 1, Para 0003-0004).

As for claims 11-12, Wilson et al. teaches a SIM card for operation with a terminal device of a mobile telecommunication network, wherein the destination and source addresses are phone numbers, URLs (Uniform Resource Locator) or APN's (Access Point Name) (Page 5, Para 0067; Page 6, Para 0077; and Page 14, Para 0155).

As for claims 13-16, Wilson et al. teaches a SIM card for operation with a terminal device of a mobile telecommunication network, wherein the SIM card only supports defined telecommunication services (Abstract; Page 12, Para 0129; and Page 15, Para 0163-0165).

As for claims 17-21, Wilson et al. teaches a SIM card for operation with a terminal device of a mobile telecommunication network, wherein the mobile phone subscriber relationship associated with the SIM card can only be operated within a defined virtual private network (VPN) (Abstract; Page 12, Para 0129; and Page 15, Para 0163 with respect to Page 3, Para 0053).

As for claims 22-27, Wilson et al. teaches a SIM card for operation with a terminal device of a mobile telecommunication network, wherein the SIM card encompasses more than one different subscriber relationship, wherein the use of the SIM card is assigned according to the originator principle to the respective subscriber relationship (Abstract; Page 2, Para 0045; Page 3, Para 0051; Page 4, Para 0056; Page 5, Para 0066; Page 9, Para 0104; Page 12, Para 0129; and Page 15, Para 0163-0165).

Regarding claim 33, see explanation as set forth regarding claim 1 (device claim) because the claimed process/method for a SIM card for operation with a terminal device of a mobile telecommunication network would perform the device steps.

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Spearman (US Pub 20030051170) teaches a wireless public domain Wide Area Network (WPDWAN) is a system and method of providing high throughput data services to public domain customers through the use of encoded 2.4 Ghz microwave transmissions. Connecting computers to multi-point wireless bridges using the 2.4 Ghz spectrum has been available for many years. However, the concept of opening the service to public domain has long been limited due to authentication, security and inevitable routing concerns. With the incorporation of a wireless router, methods of authentication through the use of LDAP MAC authentication with route control and logical segmentation to preclude sniffing actions. This problem has been addressed with WPDWAN. The WPDWAN provides high data throughput connection rates to residential, commercial and mobile customers. The WPDWAN allows users to connect to the Internet backbone using a 2.4 Ghz 802.11b standard PCMCIA card. These cards function at rates of at least 2 Mbps. The wireless card connects the computer to the Internet backbone and allows the customer to remain either stationary or be mobile within the area of coverage.

Asunmaa et al. (US Pub 20030172090) teaches a system according to an embodiment of the invention provides a means whereby a user or user device may be authenticated by an identity provider. The authentication may provide a trust relationship between the user and a service provider. An IdentityCard, a virtual version of traditional ID cards seamlessly expands the end user's ID card experience and related services to a personal device, like a mobile station or a Personal Digital Assistant (PDA), as well as to the Web browser.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Janelle N. Young whose telephone number is (571) 272-2836. The examiner can normally be reached on Monday through Friday: 10:00 am through 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on (571) 272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Janelle N. Young/  
Examiner, Art Unit 2618

/Nay A. Maung/  
Supervisory Patent Examiner, Art  
Unit 2618